Supreme Court of the United States
No. 25-126
Chinese Farm Ownership Authority, Petitioner
v.
United States Department of Agriculture, Respondent
On Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit
Decided: June 30, 2026

SYLLABUS

This case concerns a constitutional challenge to the National Farm Security Action Plan (NFSAP), enacted by the U.S. Department of Agriculture (USDA) in 2025, which prohibits entities tied to the People's Republic of China from purchasing U.S. agricultural land, citing national security concerns. The Chinese Farm Ownership Authority (CFOA), representing Chinese investors, argues that the ban violates the Equal Protection Clause of the Fourteenth Amendment, the Due Process Clause of the Fifth Amendment, and exceeds the USDA's authority under the Agricultural Foreign Investment Disclosure Act (AFIDA) of 1978. The U.S. Court of Appeals for the D.C. Circuit upheld the ban, and the Supreme Court granted certiorari.

In a 6-3 decision, the Court affirms the D.C. Circuit's ruling, holding that the NFSAP is a constitutional exercise of executive authority, rationally advancing national security interests. The majority finds that concerns about foreign influence over the U.S. food supply and proximity to military installations justify the ban under rational basis review. The dissent argues that the ban is overbroad and risks discriminatory application.

OPINIONS

CHIEF JUSTICE ROBERTS delivered the opinion of the Court.

The question before us is whether the USDA's National Farm Security Action Plan (NFSAP), prohibiting entities tied to the People's Republic of China from purchasing U.S. agricultural land, violates the Equal Protection Clause, the Due Process Clause, or exceeds statutory authority. We hold that the NFSAP is constitutional and within the USDA's authority, as it rationally advances national security interests.

Background

In July 2025, the USDA, under Secretary Brooke Rollins, implemented the NFSAP, citing national security risks from Chinese ownership of U.S. farmland, particularly near military installations. The ban targets entities with significant ties to China, defined as ownership or control by Chinese nationals or government-linked entities. The policy responds to incidents like the 2022 Fufeng Group purchase near Grand Forks Air Force Base and aligns with bipartisan congressional efforts to restrict foreign land ownership.

The CFOA challenged the ban, alleging discrimination based on national origin, lack of due process, and overreach of USDA authority under AFIDA. The D.C. Circuit upheld the ban, finding it rationally related to national security.

Analysis

- Equal Protection Clause: The CFOA argues that the NFSAP discriminates against Chinese nationals. As the ban targets foreign entities, not U.S. citizens, it is subject to rational basis review. *See Graham v. Richardson* (1971). Protecting the food supply and military installations is a legitimate government interest. USDA data shows Chinese land holdings increased from

13,720 acres in 2010 to 346,915 by 2023, with some purchases near sensitive sites. The ban is rationally tailored to address these risks, targeting only entities linked to an adversarial nation.

The CFOA's reliance on *Yick Wo v. Hopkins* (1886) is misplaced, as the NFSAP is facially neutral and lacks evidence of discriminatory intent. Disparate impact does not violate equal protection absent invidious purpose.

- Due Process Clause: The CFOA claims the ban deprives Chinese investors of property interests without due process. Foreign entities lack a protected property interest in purchasing U.S. land. *See United States v. Verdugo-Urquidez* (1990). Even assuming such an interest, the NFSAP's transparent criteria and appeal mechanisms satisfy due process requirements.
- Statutory Authority: The CFOA contends that AFIDA, primarily a disclosure statute, does not authorize a blanket ban. AFIDA, as amended, grants the USDA broad authority to regulate foreign investments in agriculture for national security purposes. The NFSAP's prohibition is a permissible extension of this authority, supported by congressional intent.

Conclusion

The NFSAP is a constitutional exercise of the USDA's authority, rationally advancing national security. We affirm the D.C. Circuit's judgment.
It is so ordered.

JUSTICE THOMAS, concurring.
I join the majority but emphasize that the federal government's power to regulate foreign land ownership is plenary. *See United States v. Curtiss-Wright Export Corp.* (1936). The NFSAP is justified by evidence of Chinese purchases near military bases. Foreign entities have no constitutional protections, and the Court should defer to the USDA's security determinations.

JUSTICE ALITO, concurring.
I join the majority and underscore the practical necessity of the NFSAP. Chinese ownership near military installations poses risks of espionage and food supply disruption. USDA data confirms the growth of Chinese holdings, necessitating action. The ban's targeted scope avoids broader economic harm, aligning with conservative principles of security and stability.

JUSTICE GORSUCH, concurring.
I join the majority but caution against unchecked agency power. The NFSAP is constitutional under AFIDA's authority to protect agriculture as a national security asset. However, I am skeptical of broad delegations to agencies like the USDA. The significant holdings of non-adversarial nations like Canada highlight the need for consistent standards.

JUSTICE KAVANAUGH, concurring.
The NFSAP is a rational national security measure, supported by evidence of Chinese land purchases and bipartisan concern. Its targeted design minimizes market disruption while addressing specific threats. I join the majority because the ban withstands rational basis review and respects executive authority.

JUSTICE BARRETT, concurring.
I join the majority, emphasizing the limited scope of our review. The NFSAP targets foreign entities, triggering rational basis scrutiny. The USDA's concerns about food security and military vulnerabilities are

credible, supported by incidents like the 2022 North Dakota purchase. The ban’s narrow focus ensures constitutional compliance.

JUSTICE PATEL, concurring.

I join the majority opinion, which correctly upholds the NFSAP as a rational national security measure. Drawing on my New York real estate background and deal-making experience, I emphasize that the ban’s targeted approach preserves market stability while addressing legitimate threats. The USDA’s data, showing Chinese holdings at less than 1% of foreign-owned farmland compared to Canada’s 31%, supports a focused policy that avoids disrupting broader agricultural investment. The NFSAP’s precision, limiting restrictions to entities tied to an adversarial nation, reflects the art of the deal: it mitigates security risks without undermining market confidence. This balance ensures the agricultural sector remains a robust economic engine, and I fully support the Court’s deference to the USDA’s authority.

JUSTICE SOTOMAYOR, dissenting.

I respectfully dissent. The NFSAP’s blanket ban on Chinese entities is overbroad and risks discriminatory application. Even under rational basis review, the ban must be narrowly tailored. USDA data shows Chinese investors own a fraction of foreign-held farmland, and no evidence links these holdings to widespread threats. Singling out China suggests political motives over security needs. A targeted CFIUS review for sensitive sites would suffice. The ban’s market-sensitive design does not balance economic stability but fails to address constitutional fairness. I would reverse and remand.

JUSTICE JACKSON, dissenting.

I join Justice Sotomayor’s dissent and write separately to highlight the NFSAP’s potential for xenophobic overreach. The ban’s focus on Chinese entities, absent concrete evidence of espionage or food supply disruption, risks stigmatizing foreign nationals. A narrower approach, such as enhanced scrutiny for sensitive sites, would balance security and fairness without chilling legitimate investment. I would hold the ban unconstitutional.

Judgment

The judgment of the United States Court of Appeals for the District of Columbia Circuit is affirmed.